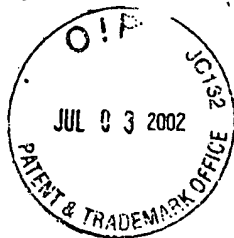


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rozhon *et al.*

Application No.: 09/712,033

Group Art Unit: 1651

Filed: November 14, 2000

Examiner: I. Marx

For: ENTERIC FORMULATIONS OF
PROANTHOCYANIDIN POLYMER
ANTIDIARRHEAL COMPOSITIONSNew Attorney Docket No.: 11133-004
Former Attorney Docket No.: 7032-073

**POWER OF ATTORNEY BY OWNER
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER C.F.R. 3.73(b)**

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, DC 20231

Sir:

The undersigned is the owner of the entire interest by reason of an order in the United States Bankruptcy Court for the Northern District of California, San Francisco Division, approving sale and assignment of assets of Shaman Pharmaceuticals, Inc., the debtor-in possession, to PS Pharmaceuticals, Inc., free and clear of liens, claims, and interests. PS Pharmaceuticals, Inc., the undersigned owner of all right, title, and interest in the above-identified subject application hereby appoints: Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francois E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Kory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannion (Reg. No. 32110), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gis (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), Nikolaos C. George (Reg. No. 39201), Stephen

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S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence for this application to customer no. 20583.

I am the:

- ☐ Applicant/Inventor
- ☒ Owner/Assignee of record of the entire interest. See 37 CFR 3.71.
(Statement under 37 CFR 3.73(b) is applicable)

Statement Under 37 C.F.R. 3.73(b)

states that it is:

- ☒ the owner/assignee of the entire right, title, and interest; or
- ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office on _____ at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: inventors Rozhon, Khandwala, Balwani, Chan, and Sesin To: Shaman Pharmaceuticals, Inc.

The document was recorded in the United States Patent and Trademark Office on August 25, 1992 at Reel 010124, Frame 0568, or for which a copy thereof is attached.

2. From: inventor Sabouni To: Shaman Pharmaceuticals, Inc.

The document was recorded in the United States Patent and Trademark Office on January 10, 2000 at Reel 010489, Frame 0941, or for which a copy thereof is attached.

3. An Order of the United States Bankruptcy Court for the Northern District of California approving the Sale and Assignment of assets. From: Shaman Pharmaceuticals, Inc. To: PS Pharmaceuticals, Inc.

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The document was recorded in the United States Patent and Trademark Office on _____ at Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments of other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]


The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date:

July 2, 2002

ASSIGNEE:

Signature:



Typed Name:

Lisa Conte

Position/Title:

Chief Executive Officer of PS
Pharmaceuticals, Inc.

Address:

213 East Grand Avenue
South San Francisco, CA 94080-4812